

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	<u>SEALED INFORMATION</u>
	:	
- V. -	:	
	:	18 Cr. <u>221</u> (cs)
JOHN DEPASQUALE,	:	
	:	
Defendant.	:	
	:	
- - - - -	X	

COUNT ONE

(Conspiracy to Distribute Narcotics)

The United States Attorney charges:

1. From at least in or around 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, JOHN DEPASQUALE, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JOHN DEPASQUALE, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that JOHN DEPASQUALE, the defendant, conspired to distribute and possess with intent to

distribute were: (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(A); and (iii) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Use/Possession of Firearms)

The United States Attorney further charges:

4. From in or about 2011 up to and including in or about early 2017, in the Southern District of New York and elsewhere, JOHN DEPASQUALE, the defendant, and others known and unknown, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count One of this Information, knowingly did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms in the Bronx and Yonkers, New York.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

COUNT THREE

(Felon in Possession of a Firearm)

The United States Attorney further charges:

5. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, JOHN DEPASQUALE, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce firearms, to wit, (i) a 9-milimeter Glock semi-automatic handgun, (ii) a Desert Eagle semi-automatic handgun, and (iii) an AR-15 fully automatic assault rifle, all of which had previously been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATION

6. As a result of committing the offense alleged in Count One of this Superseding Information, JOHN DEPASQUALE, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not

limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

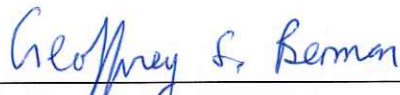
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), Title 18, United States Code, Sections 981 and 1963(m) to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

  
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GEOFFREY S. BERMAN  
United States Attorney



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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

JOHN DEPASQUALE,

Defendant.

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INFORMATION

18 Cr. \_\_\_\_

(21 U.S.C. §§ 846 and 853; 18 U.S.C. §§  
922(g)(1), 924(c)(1)(A)(i),  
924(c)(1)(C), and 2.)

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GEOFFREY S. BERMAN  
United States Attorney.

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